

REMARKS

Claims 1 and 4-19 are pending in the above-identified application. Claim 3 has been inserted into claim 1, and claims 2 and 3 correspondingly cancelled. Support for new claims 14-19 is found at pages 5-9, 13, 20 and 21 of the specification.

Issues Under 35 U.S.C. 102(b)

Claims 1, 2 and 4-13 have been rejected under 35 U.S.C. 102(b) as being unpatentable over Fujiki '825 (EP 0 728 825 A1).

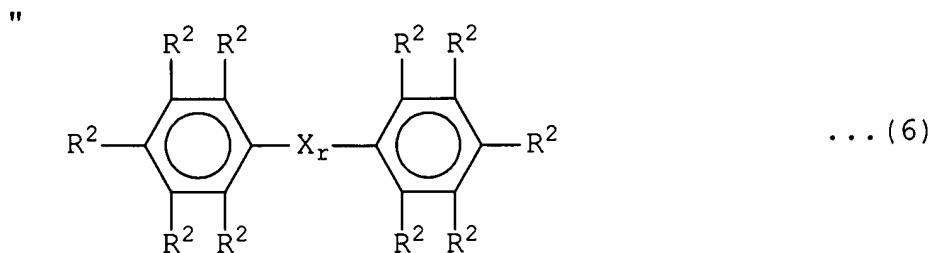
Allowable Claims 1 and 4-13

Upon the incorporation of allowable claim 3 into claim 1, claims 1 and 4-13 have been placed into allowable condition. It is therefore requested that the above-noted rejection be withdrawn with respect to these claims.

Reasons for Allowability for New Claims 14-19

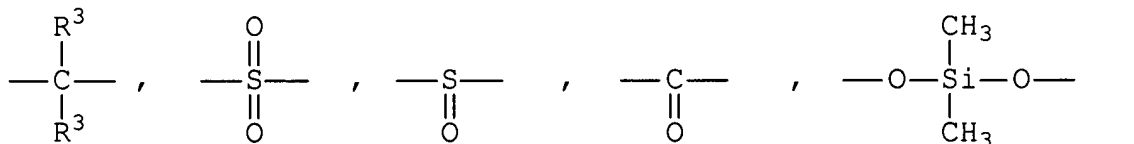
New claims 14-19 are also patentable over Fujiki '825. In this regard, note that independent claim 14 (upon which dependent claims 15-19 all depend) recite that component (D) is an "organopolysiloxane" which fails to be disclosed in Fujiki '825.

Also, in Fujiki '825, component (C) is as follows:



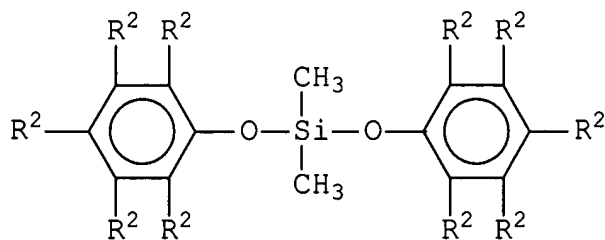
In formula (6), R^2 is a hydrogen atom, a hydroxyl group, a halogen atom, an alkyl group, an alkenyl group, an alkoxy group, an alkenyloxy group, an aryl group, or a monovalent organic group containing an alkenyl group, an alkoxy group, a glycidyl group, a carbonyl group, a carbonyloxy group, a silyloxy group or alkoxysilyl group. At least one, preferably 1 to 4, more preferably one or two of R^2 's are an alkenyl group or a monovalent organic group containing an alkenyl group.

X is selected from the following groups:



$-CH_2)_s-$ and $-O-$ wherein R^3 is a hydrogen atom, a halogen atoms, or a substituted or unsubstituted alkyl, aryl, alkenyl or alkynyl group, and s is a positive number of at least 2, preferably 2 to 4. Letter r is equal to 0 or 1."

Although Fujiki '825 discloses the following compound as component (C):



this compound is not an organopolysiloxane because it does not have

a recurring unit represented by $\left(\begin{array}{c} \text{R} \\ | \\ \text{---Si---O---} \\ | \\ \text{R} \end{array} \right)_n$ and at least two units

(i.e., $\begin{array}{c} \text{R} & & \text{R} \\ | & & | \\ \text{---Si---O---Si---O---} \\ | & & | \\ \text{R} & & \text{R} \end{array}$ (R is a monovalent organic group)).

Please note that the compounds defined in claims 7 and 8 of Fujiki '825 correspond to component (C) of the inventive addition curing type organopolysiloxane composition.

As above, Fujiki '825 fails to disclose and teach the use of component (D) and the effect of using the same according to the present invention.

Conclusion

It is submitted for the reasons stated above that the present claims define patentable subject matter such that this application should now be placed condition for allowance.

Appl. No. 09/902,106
Attorney Docket Number 0171-0765P

If any questions arise regarding the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

ADM:gmh
0171-0765P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000